

REMARKS

Applicants respectfully traverse the rejections of the pending claims 2 – 9, 20, and 24 – 25. Claims 2 and 20 have been amended. No new matter has been entered. For example, consider claim 2, which recites a method of for emulating an erasable storage medium using a non-erasable optical disk including the step of “generating an updated system sector whenever there is a change in the data files stored on the writable area, wherein the updated system sector identifies the changed data files, the unchanged data files being identified by the system sector.” Thus, the updated system sector must be combined with the system sector if a user wants to access both changed and unchanged data files – information for accessing changed data files being stored in the updated system sector whereas information for accessing unchanged data files being stored in the system sector. The resulting use of disk space is very efficient since the updated system sector need only store the information necessary for accessing the updated data files.

The Applicants agree with the Examiner’s analysis of the Flannagan reference (USP 4,827,462) in that it provides no teaching or suggestion for the “claimed provisions for handling changes to the data files stored on the writeable area.” However, Applicants respectfully traverse the assertion that the Martin reference (USP 5,666,531) provides this missing teaching. Instead, the Martin reference discloses that:

The directory that is stored at the end of each track is a cumulative directory of the prior tracks on the disc. This means that the directory on the last track contains the location and computer operating system information of all the files in the last track as well as all prior tracks. Col. 4, lines 22 through 26.

Thus, Martin teaches away from the updated system sector recited in claim 2.

Instead, Martin inefficiently provides an updated directory of all the files every time a new track is written. As such, the method recited in claim 2 is patentable over the combination of the Flannagan and Martin references.

LAW OFFICES OF  
MACPHERSON, KWOK CHEN  
& HEID LLP  
2402 MICHELSON DRIVE  
SUITE 210  
IRVINE, CA 92612  
(949) 751-7040  
FAX (949) 752-7049

Because claims 2 through 9 depend either directly or indirectly upon claim 2, they are patentable over these references for at least the same reasons.

Claim 20 is patentable for analogous reasons. Specifically, claim 20 is directed to a write-once read-many (WORM) optical disk including "an updated system sector for accessing updated data files, the updated system sector being written in the writable area starting from the end of the system sector towards the data area along the spiral track, the information for accessing the data files that were not updated being stored in the system sector." As discussed above, neither the Martin nor the Flannagan reference disclose or suggest such a disk. Accordingly, claim 20 is patentable over these references. Claims 24 through 26 depend directly or indirectly upon claim 20 and are thus patentable for at least the same reasons as discussed with respect to claim 20.

Applicants gratefully acknowledge the Examiner's indication that the proposed drawing corrections in the response filed January 3, 2003 have been approved. However, Applicants respectfully suggest that the Examiner may have left the underlined statement indicating that corrected drawings were still required as some sort of typographical error in that no objections to the drawings were noted in the Office Action (see, e.g., the Office Action Summary page). Because no objections to the drawings were specified, Applicants are at a loss to provide appropriate corrections. However, should the Examiner indicate a specific objection to the drawings, Applicants will of course respond accordingly.

Applicants respectfully traverse the Examiner's statement of the invention starting on page 2 of the Office Action in that the scope of Applicants' invention is defined solely by the claims.

#### CONCLUSION

For the foregoing reasons, pending claims 2 - 9, 20, and 24 - 25 are in condition for

allowance.

If there are any questions regarding any aspect of the application, please call the undersigned at 949-752-7040.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at (703) 872-9306 on December 8, 2003.



Eric Hoover

December 8, 2003  
Date of Signature

Respectfully submitted,



Jon W. Hallman  
Attorney for Applicant(s)  
Reg. No. 42,622

LAW OFFICES OF  
MACPHERSON, KWOK CHEN  
& REED LLP

2402 MICHELSON DRIVE  
SUITE 210  
IRVINE, CA 92612  
(949) 752-7040  
FAX (949) 752-7049